

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA  
JAMES KNOLL GARDNER, DISTRICT JUDGE

## APPLICATION FOR CONTINUANCE

## INSTRUCTIONS:

1. Please type or print legibly.
2. Counsel of record and unrepresented parties must sign.
3. Applying counsel or unrepresented party shall (a) complete Sections I, II and III; (b) obtain a new date certain from Judge Gardner's chambers; (c) obtain agreement of all counsel and unrepresented parties to the new date; and (d) insert new agreed date and time on the "DATE/TIME" line in Section V.
4. Other counsel of record and unrepresented parties shall complete Section IV, indicating whether "UNOPPOSED" or "OPPOSED", and specifying the reasons for any opposition.
5. This form may be submitted in multiple parts.

## I. APPLICATION IS MADE TO CONTINUE THE FOLLOWING CASE(S):

7th &amp; Allen Equities

vs  
Hartford Casualty Insurance Company

CASE NO: 11-cv-01567

COMPANION CASE NO(S):

CASE SCHEDULED ON DATE November 5, 2012 TIME 9:30 o'clock a.m.

BEFORE JUDGE JAMES KNOLL GARDNER

## TYPE OF PROCEEDING (CHECK BELOW)

- ☐ ARGUMENT ☐ NON-JURY TRIAL
- ☐ HEARING ☐ PLEA HEARING
- ☒ JURY TRIAL ☐ RULE 16 OFFICE STATUS CONFERENCE

☐ RULE 16 OFFICE PRE-TRIAL CONFERENCE☐ RULE 16 TELEPHONE STATUS CONFERENCE☐ RULE 16 TELEPHONE PRE-TRIAL CONFERENCE☐ SENTENCING☐ SETTLEMENT CONFERENCE☐ OTHER \_\_\_\_\_II. NUMBER OF PREVIOUS CONTINUANCES 0 BY PLAINTIFF 0 BY DEFENDANT 0  
BY THIRD PARTY PLAINTIFF \_\_\_\_\_ BY THIRD PARTY DEFENDANT \_\_\_\_\_

## III. APPLICATION IS MADE FOR THE FOLLOWING REASON(S):

Due to Hurricane Sandy, defendants two main witnesses Alan Mycek and Steve Broderick are unable to testify as they will be away from their homes adjusting claims 7 days/week for foreseeable future.

Hartford Casualty Ins. 10/31/12 DATE Michael J. O'Neill, Esq. REPRESENTING

APPLYING PARTY: PLEASE PRINT AND SIGN  
Telephone: \_\_\_\_\_

## IV. APPLICATION IS UNOPPOSED/OPPOSED FOR THE FOLLOWING REASON(S): TRIAL HAS BEEN SCHEDULED FOR MONTHS AND IT WITNESSES AVAILABILITY AT LATER DATE UNKNOWN ALSO, WILLING TO DO VIDEO OF WITNESSES SO CAN BE USED AT TRIAL SO NO NEED TO DELAY TRIAL.

7th & Allen Mark S. Hartzman 10/31/12 DATE MARK S. HARTZMAN REPRESENTING

OPPOSING PARTY: PLEASE PRINT AND SIGN  
Telephone: \_\_\_\_\_

OPPOSING PARTY: PLEASE PRINT AND SIGN  
Telephone: \_\_\_\_\_

DATE

REPRESENTING

ENTERED

NOV 01 2012

## V. ACTION TAKEN BY THE COURT:

NOW, October 31, 2012 CLERK OF COURT☒ APPLICATION IS GRANTED AND THE CASE IS CONTINUED☐ APPLICATION DENIED☐ NO FURTHER CONTINUANCES

X to Wednesday November 7, 2012 at 9:30 o'clock am in the James A. Byrnes United States Courthouse, Philadelphia, Pennsylvania, in a courtroom to be announced.

James Knoll Gardner  
JUDGE